

FILED

MAY 12 2003

**NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS**

ORIGINAL

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SUPERIOR COURT OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

WILLIAM J. GANNON, D.C.
LICENSE NO. MC002649

Civil Action

CONSENT ORDER

TO PRACTICE CHIROPRACTIC IN :
THE STATE OF NEW JERSEY :
_____ :

This matter was opened to the New Jersey State Board of Chiropractic Examiners (hereinafter "the Board") upon review of investigative materials developed in this matter and in the related matter of IMO Michael Moore, D.C. (Board Order filed January 30, 2002).

The Board has received and reviewed Respondent Gannon's Answers to a Demand for Statement in Writing Under Oath, which Demand Respondent answered August 16, 2001. On September 19, 2002, Respondent appeared with counsel and testified under oath at an investigative inquiry before a Committee of the Board. The Board was impressed by Respondent's candor.

From February 1987 through October 1992, Respondent was employed by Dr. Michael Moore at Chiropractic Care Center. Respondent admits that during the entire period of his employ at Chiropractic Care Center, he failed to maintain a contemporaneous, permanent patient record relating to the care or billing of the patients he treated. Further, throughout his employment at Chiropractic Care Center, he was aware that patient records were maintained and the chiropractic practice was operated by an unlicensed individual, yet he participated in this misrepresentation to the patients and to the insurance companies. Respondent admitted that in the five years of his employment at Chiropractic Care Center only once did he approach the administration to protest the unlicensed management of the Center and the inadequate record keeping, and on that instance his complaint was ignored.

The Board finds that Respondent has engaged in multiple recordkeeping violations, contrary to N.J.A.C. 13:44E-2.2 and 2.8 and thus in violation of N.J.S.A. 45:1-21(h).

Respondent being desirous of resolving this matter without further proceedings, and the Board having determined that the within disposition is adequately protective of the public health, safety and welfare,

IT IS on this 12th day of MAY, 2003,

HEREBY ORDERED AND AGREED THAT;

1. Respondent William J. Gannon is hereby reprimanded for his failure to adhere to accepted standards of good chiropractic practice in recordkeeping during his period of employment at Chiropractic Care Center.

2. Respondent shall enroll in and successfully complete a twenty hour Board-approved recordkeeping course within six months of this Order. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing grade was achieved that was unconditional and without reservation.

3. Respondent shall pay civil penalty of \$3000 to the Board.

4. Respondent shall pay the costs to the Board, including attorney costs in the amount of \$2,060.93 and costs of court reporters and transcript in the amount of \$505.67, for a total of \$2,566.60 upon entry of this Order.

5. The total amount due to the Board shall be \$5,566.60, with a downpayment of \$1000.00 due upon entry of this Order. The outstanding amount of \$4,566.60 shall be due in quarterly installments on or before the first day of the month. The first installment shall be in the amount of \$1,556.60; the second, third and fourth installments shall each be in the amount of \$1,000.00.

6. Each payment shall be submitted to the Board in care of Kevin Earle, Executive Director, by certified check or money order

made payable to the State of New Jersey. A certificate of debt will be filed at the time of entry of this Order.

7. If any payment is not timely, the full amount shall become immediately due and payable.

NEW JERSEY STATE BOARD OF
CHIROPRACTIC EXAMINERS

BY Mary-ellen Rada, D.C.
~~Brian Atkisson, D.C.~~
President
MARY-ELLEN RADA, D.C.

I have read the within Consent Order and understand its terms. I hereby consent to its entry and to be bound by the Consent Order's terms.

William J. Gannon, D.C.

This Consent Order is approved as to form:

Robert Conroy, Esq.
Attorney for Respondent